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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/884,925	06/21/2001	Jack Chen	4504-030	3893

7590

06/16/2005

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EXAMINER

VILLECCO, JOHN M

ART UNIT

PAPER NUMBER

2612

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/884,925

**Applicant(s)**

CHEN ET AL.

**Examiner**

John M. Villecco

**Art Unit**

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 15-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed February 2, 2005 have been fully considered but they are not persuasive.
2. Regarding claim 15, applicant argues that Suga teaches the formation of three multimedia files – one for the image, one for the sound, and a map file; and not one multimedia file as claimed. However, line 10 of claim 15 states “to produce a multimedia file consisting of a digital image and sound information...” (emphasis added). The fact that the claim calls for the multimedia file to include digital image and sound information does not necessarily mean that the multimedia file contains the captured digital image and sound data obtained by the image pickup device and sound pickup device, respectively. Therefore, the map file, shown in Figure 9 and discussed in column 8, line 53 to column 9, line 20, discloses a single file consisting of image and sound information. In other words the “information” as claimed in line 10 of claim 15 does not have to the captured image data and sound data. The examiner is interpreting the object information to be the image and sound information.
3. Furthermore, applicant argues that Suga discloses capturing image and sound data in a camera and that the applicant's invention is implemented in a computer system. The examiner agrees with this statement. However, the camera is interpreted to be the multimedia data file producer adapted to be used with a personal computer. The camera creates the multimedia data file and thus, is interpreted to be the multimedia data file producer. Furthermore, the multimedia

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data files are transferred to a computer. Therefore, the multimedia data file producer (camera) is adapted to be used with a personal computer.

4. For the reasons stated on the preceding pages, the rejections from the previous office action of claims 15-21 will be repeated.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 15-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Suga et al. (U.S. Patent No. 6,192,191).**

7. Regarding *claim 15*, Suga discloses an image pickup device (2402), a sound input unit (2411) such as a microphone, a first A/D converter (2403) connected to the image pickup device (2402) for converting the signal to a digital signal, a second A/D converter (2412) connected to the sound pickup device (2411) to convert the signal to a digital signal, and a CPU (2407) and logic circuits within the record interface (2406) which serve as the processor since it produces a multimedia data file consisting of a digital image and sound information. This data is then delivered to the host computer (2415). See column 9, line 10 to column 10, line 33. And Figures 24, 31 and 32. Line 10 of claim 15 states “to produce a multimedia file consisting of a digital image and sound information...” (emphasis added). The fact that the claim calls for the

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multimedia file to include digital image and sound information does not necessarily mean that the multimedia file contains the captured digital image and sound data obtained by the image pickup device and sound pickup device, respectively. Therefore, the map file, shown in Figure 9 and discussed in column 8, line 53 to column 9, line 20, discloses a single file consisting of image and sound information. In other words the “information” as claimed in line 10 of claim 15 does not have to the captured image data and sound data. The examiner is interpreting the object information shown in Figure 9 of Suga to be the image and sound information.

8. As for *claim 16*, Suga discloses a lens (2401) and a CCD, which serves as the photoelectric converting element for generating a first analog signal. See column 19, lines 10-13.

9. With regard to *claim 17*, as mentioned above, Suga discloses a CCD for capturing an image of a scene.

### ***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. **Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Suga et al. (U.S. Patent No. 6,192,191) in view of Maxium Technologies (Internet Publication, 2000).**

12. Regarding *claim 18*, as mentioned above in the discussion of claim 16, Suga discloses all of the limitations of the parent claim. However, Suga fails to explicitly state that the image

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sensor is a CIS. The Maxium Technologies Publication on the other hand, discloses that the use of contact image sensors (CIS) is well known in the art. The integration of CIS image sensors reduces the space needed for other components allowing for thinner and lighter products.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a CIS image sensor instead of the CCD image sensor in Suga so that the camera is made smaller and lighter.

13. **Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Suga et al. (U.S. Patent No. 6,192,191) in view of Ochi et al. (U.S. Patent No. 6,233,014).**

14. Regarding *claim 19*, as mentioned above in the discussion of claim 16, Suga discloses all of the limitations of the parent claim. However, Suga fails to explicitly disclose a reflection mirror for transmitting the image signal to the lens. Ochi, on the other hand, discloses that it is well known in the art to include a mirror for directing incoming light to a lens. More specifically Ochi discloses a mirror (14) for directing the incoming light to a lens (17). See Figure 1 and column 4, lines 18-29. This camera arrangement serves as an alternative arrangement for capturing an image. A line sensor camera can be made cheaper and smaller than a full image sensor camera. See column 4, lines 26-29. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to construct the camera of Suga in a manner similar to Ochi so that the camera can be made more cheaply and smaller.

15. **Claims 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suga et al. (U.S. Patent No. 6,192,191) in view of Haranishi (U.S. Patent No. 5,764,779).**

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16. Regarding *claim 20*, as mentioned above in the discussion of claim 15, Suga discloses all of the limitations of the parent claim. Additionally, Suga discloses that the sound input unit (2411) can be a microphone (col. 4, lines 38-39). Suga, however, fails to explicitly state that the microphone includes a filter for filtering off a noise signal from the analog signal. Haranishi, on the other hand, discloses that it is well known in the art to provide filters in a microphone for filter off noise. More specifically, Haranishi discloses a bandpass filter (2) for filter out noise from a microphone (1) and allowing only desired frequencies to pass. This feature allows for the microphone to only allow frequencies of the human voice to pass, thus increasing the quality of the signal. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a filter in the microphone of Suga so that a higher quality sound signal is generated.

17. As for *claim 21*, Haranishi discloses only allowing frequencies of the human voice to pass through the bandpass filter (2). See the abstract.

18. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

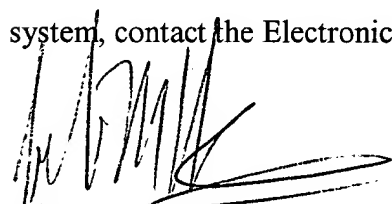
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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M. Villecco whose telephone number is (571) 272-7319. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (571) 272-7308. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John M. Villecco  
May 31, 2005



AUNG MOE  
PRIMARY EXAMINER